

Christian Holinka v. Asbestos - ROUGH DRAFT  
February 22, 2007

Christian Holinka  
ROUGH DRAFT

Page 1.

57

1  
2 SUPREME COURT  
3 ALL COUNTIES WITHIN THE STATE OF NEW YORK  
4  
5 IN RE: NEW YORK CITY ASBESTOS LITIGATION

6  
7  
8 DEPOSITION UNDER ORAL  
9 EXAMINATION OF  
10 CHRISTIAN HOLINKA  
11 (VOLUME II)

12  
13  
14  
15  
16 This Document Applies To:  
17 CHRISTIAN HOLINKA  
18 INDEX NO.: 114120-06

19  
20  
21 PRORITY ONE COURT REPORTING SERVICES, INC.  
22 899 Manor Road  
23 Staten Island, New York 10314  
24 (718) 983-1234  
25

Christian Holinka v. Asbestos - ROUGH DRAFT  
February 22, 2007

Christian Holinka  
ROUGH DRAFT

Christian Holinka v. Asbestos - ROUGH DRAFT  
February 22, 2007

Christian Holinka  
ROUGH DRAFT

1 62  
2 IT IS HEREBY STIPULATED AND AGREED by and between  
3 the attorneys for the respective parties hereto that  
4 filing, sealing and certification of the within  
5 Examination Before Trial be waived; that all  
6 objections, except as to form, are reserved to the  
7 time of trial.  
8 IT IS FURTHER STIPULATED AND AGREED that the  
9 transcript may be signed before any Notary Public with  
10 the same force and effect as if signed before a Clerk  
11 or Judge of the Court.  
12 IT IS FURTHER STIPULATED AND AGREED that the  
13 within examination may be utilized for all purposes as  
14 provided by the CPLR.  
15 IT IS FURTHER STIPULATED AND AGREED that all  
16 rights provided to all parties by the CPLR shall not  
17 be deemed waived and the appropriate sections of the  
18 CPLR shall be controlling with respect thereto.  
19 IT IS FURTHER STIPULATED AND AGREED by and  
20 between the attorneys for the respective parties  
21 hereto that a copy of the Examination shall be  
22 furnished, without charge, to the attorney  
23 representing the witness testifying herein.  
24  
25

Page 6

1 Christian Holinka 64  
2 If you do not understand any of my  
3 questions, will you be sure to tell me?  
4 A Yes.  
5 Q All of your responses do also have to be  
6 verbal because the Court Reporter over here cannot  
7 take down physical gestures or things like that.  
8 Have you had an opportunity to read the  
9 transcript or typed up version of the testimony that  
10 you gave a couple of weeks ago?  
11 A Yes, I have.  
12 Q And in review of that, were there any  
13 significant changes or alterations that you feel were  
14 not properly reflected in the testimony you gave?  
15 A No significant changes.  
16 Q As was the case a couple of weeks ago, if  
17 at the moment I ask you a question you do not know the  
18 answer to it but then at some point later on it comes  
19 to you, that is fine, just let us know and we will  
20 deal with it at that time. We want to make sure there  
21 is an accurate record and give you every option to  
22 make an accurate record.  
23 Did you take any medications before coming  
24 here today?  
25 A No.

Page 8

1 Christian Holinka 63  
2 CHRISTIAN HOLINKA, the  
3 Plaintiff herein, after previously having been  
4 duly sworn by a Notary Public of the State of New  
5 York, was examined and testified as follows:  
6 CONTINUED DIRECT EXAMINATION  
7 BY MR. SCHAFFER:  
8 Q Good morning, sir.  
9 A Good morning.  
10 Q My name is David Schaffer, we met off the  
11 record just a moment ago. I am with the law firm of  
12 Malaby, Carlisle and Bradley, and I am here to  
13 continue the questioning that was started by my  
14 colleague a couple of weeks ago, Cori Leavitt, who  
15 could not be here.  
16 I have read your transcript from the  
17 testimony you gave a couple of weeks ago and I am  
18 going to try not to repeat things. To the extent that  
19 I do, please bear with me and we will get through this  
20 as quickly as we can.  
21 The same ground rules that Ms. Leavitt went  
22 over with you apply. Please, wait until I finish my  
23 question completely before you start your answer. I  
24 will afford you the same courtesy and wait for you to  
25 finish your answer before I start my next question.

Page 7

1 Christian Holinka 65  
2 Q When did you review the transcript of the  
3 last session?  
4 A Today.  
5 Q How long did you go over it?  
6 A About ten minutes.  
7 Q Besides possibly representatives of your  
8 law firm, did you talk with anyone else about the  
9 testimony you gave and plan to give today?  
10 A No.  
11 MR. SCHAFFER: Off the record.  
12 (Discussion held off the record)  
13 Q It is my understanding, sir, that you came  
14 to the United States in around 1956 after finishing  
15 the boarding school in Oldenburg; is that right?  
16 A That's correct.  
17 Q Now, when you came to the United States,  
18 what was the first employment that you had?  
19 A I worked briefly as an elevator operator  
20 for about five weeks.  
21 Q And where was that job?  
22 A That was at the Commodore Hotel in New York  
23 City.  
24 Q And was that in 1956?  
25 A Yes.

Page 9

Christian Holinka v. Asbestos - ROUGH DRAFT  
February 22, 2007

Christian Holinka  
ROUGH DRAFT

Page 10		Page 12	
1	Christian Holinka 66	1	Christian Holinka 68
2	Q Do you know approximately when? Even a	2	life or events going on in the world, that helps us
3	season would be fine.	3	work with a timeline a little bit.
4	A November of '56.	4	A Understood.
5	Q And did that employment carry through into	5	Q How long did you work at Booth?
6	1957?	6	A Three and a half months.
7	A No.	7	Q What was your position there when you
8	Q Do you believe that you were exposed to	8	started?
9	asbestos in any way while you were working as an	9	A A laboratory technician.
10	elevator operator?	10	Q And did you hold that same position
11	A I do not know.	11	throughout the entire time you were there?
12	Q What were your duties as an elevator	12	A Yes.
13	operator?	13	Q What were your duties as a laboratory
14	A Operate the elevator.	14	technician?
15	Q Bringing individuals up and down the floors	15	A Clinical chemistry, analysis of human
16	of the hotel?	16	material serum, urine to an extent.
17	A Yes.	17	Q Were you as a technician responsible for
18	Q Did you run only the passenger elevators as	18	screening for any particular types of illnesses or
19	opposed to cargo elevators?	19	problems with respect to the human materials?
20	A Only passenger.	20	A No.
21	Q What was the next job that you held after	21	Q Do you know if your screening involved the
22	being an elevator operator?	22	screening of any contagions of any type?
23	A United States Army.	23	A No.
24	Q And when did you join the Army?	24	Q You do not know?
25	A In November 1956.	25	A No, I didn't screen for any contagious
Page 11		Page 13	
1	Christian Holinka 67	1	Christian Holinka 69
2	MR. DARCHE: Off the record.	2	material.
3	(Discussion held off the record)	3	Q Who was your supervisor when you were
4	Q And you left the Army at what point, sir?	4	working at Booth?
5	A In 1959, July or August.	5	A Dr. Blaustein.
6	Q And at that point, sir, did you hold any	6	Q Do you remember Dr. Blaustein's first name?
7	other jobs before going on to UC Berkeley?	7	A Ansel.
8	A Yes.	8	Q Is Dr. Blaustein still alive, if you know?
9	Q Can you tell me what was the next	9	A No, he's not still alive.
10	employment you had after you were discharged?	10	Q I try not to ask questions in an ambiguous
11	A Booth Memorial Hospital in New York, in	11	fashion but please, clarify as you are doing.
12	Queens.	12	Besides yourself were there other
13	Q When did you start at Booth Memorial?	13	laboratory technicians working alongside you with
14	A In late 1959, I think September.	14	similar duties?
15	Q And if Ms. Leavitt did not give you this	15	A The section head of the laboratory.
16	instruction last time, I will give it to you now: To	16	Q And who was that?
17	the extent that I am asking you about things that	17	A Her name is Olga, first name, last name
18	happened to some degree decades even in the past, if	18	Bzrad. I'm going to try to spell it.
19	there is a way that you can give me your best estimate	19	Q Okay, thank you.
20	if you do not know precisely, that is fine,	20	A B-Z-R-O-R-A-D. I'm not sure of the
21	understood? If you are just flat-out guessing, nobody	21	spelling.
22	here wants you to do that. Tell me you do not know	22	Q And is Olga still alive?
23	and we will move forward. But you are entitled to a	23	A Yes -- I don't know but -- I don't know.
24	best estimate and sometimes if you can tie things like	24	Q When was the last time you had any contact
25	dates or events into either events in your personal	25	with her?

Christian Holinka v. Asbestos - ROUGH DRAFT  
February 22, 2007Christian Holinka  
ROUGH DRAFT

1 Christian Holinka 70 Page 14

2 A In 1960.

3 Q So, over 40 years ago?

4 A Uh-huh.

5 Q That is a yes, right?

6 A Yes.

7 Q So, was the chain of command you would report to Olga and then Dr. Blaustein supervised everybody?

8 A Yes, that's correct.

9 Q Did anybody else work with you at Booth during that three and a half months?

10 A Yes.

11 Q Who else did?

12 A I don't remember their names.

13 Q Did they have duties similar to yours as a lab technician?

14 A Yes.

15 Q What were your shift or hours typically?

16 A Nine to five, day shift.

17 Q Monday to Friday?

18 A Yes.

19 Q How did you get that job?

20 A I applied for it at the hospital. Being trained in the Army as a medical laboratory

1 Christian Holinka 72 Page 16

2 Q And replace it?

3 A And replace it, yes.

4 Q Can you give us any sort of a quantification as to how long a Bunsen burner pad would last?

5 A It depends on the frequency of its use. And usually a Bunsen burner is the principle heat source of all the laboratories I've worked in. Usually it's used pretty frequently, meaning certainly daily, very frequently. I would guess, and that's not a precise answer, that certainly every few days you would replace it. But again, it depends upon the frequency of use.

6 Q Understood. Would it also depend on the temperature of the flame that was being used in any application?

7 A I would say the flame temperature is pretty constant. It's gas that comes right out of a burner.

8 Q Do you know what the temperature of the gas typically was out of those Bunsen burners?

9 A No. Interesting question.

10 Q Do you know what the fuel source of the gas was?

11 A I would imagine the same fuel source that

1 Christian Holinka 71 Page 15

2 technologist I was qualified.

3 Q During the time that you were at Booth, do you believe that you were exposed to asbestos in any way?

4 A Yes.

5 Q Do you believe that you personally handled any materials that contained asbestos while at Booth?

6 A Yes.

7 Q Can you tell me all the different types of materials that you handled that you believe contained asbestos when you worked there?

8 A Bunsen burner pads that had a center round asbestos component to diffuse the heat, distribute the heat uniformly. And heat mittens that were used to handle hot glass work from drying ovens or otherwise hot.

9 Q How do you believe that you were exposed to asbestos from the Bunsen burner pads at Booth?

10 A The asbestos gradually becomes brittle due to the high heat and the heat moves the air really and one would expect that dust particles would be generated. Also once the Bunsen burner pad was no longer usable because the center piece became brittle, you dispose of it.

1 Christian Holinka 73 Page 17

2 was used in households for gas flames.

3 MR. DARCHE: Don't guess.

4 A I don't know.

5 Q And I am just asking you what you know. How many Bunsen burners were in the lab when you worked there?

6 A Half a dozen.

7 Q If there was an occasion as you described that the pad had to be replaced, where would you get the replacement pad from?

8 A It was standard equipment at a laboratory. There was a supply cabinet and I took it from there.

9 Q Do you recall what the supply cabinet at Booth looked like?

10 A No.

11 Q Do you recall what color the pads were at Booth? Let's start with the new ones first.

12 A Well, the metal grid was grayish metal, fine grayish metal, and the center round pad was tan, whitish-tan, whitish-gray.

13 Q And the metal portion, was that like a mesh?

14 A Yes.

15 Q How far across in diameter would the pad

Christian Holinka v. Asbestos - ROUGH DRAFT  
February 22, 2007

Christian Holinka  
ROUGH DRAFT

<p>1 Christian Holinka 74</p> <p>2 section of that be?</p> <p>3 A About that wide. (Indicating)</p> <p>4 Q Which would be what, sir? Since the Court</p> <p>5 Reporter cannot take down that gesture.</p> <p>6 A About 3 1/2 inches.</p> <p>7 Q And did the material protrude from the</p> <p>8 plane of the mesh both above and below it? Do you</p> <p>9 know what I mean?</p> <p>10 A Above, to my recollection mainly above.</p> <p>11 Q Any idea how thick the material was?</p> <p>12 A A few millimeters.</p> <p>13 Q Do you know the brand, trade or</p> <p>14 manufacturer's name of any of the Bunsen burner pads</p> <p>15 that you used at Booth Memorial?</p> <p>16 A There were standard suppliers to that lab</p> <p>17 and later during my research career such as Fisher</p> <p>18 Scientific, American Scientific, Senco, Van Waters and</p> <p>19 Rogers. Those were the major suppliers.</p> <p>20 MS. LYONS: Could you read that back,</p> <p>21 please.</p> <p>22 (Whereupon, at this time, the requested</p> <p>23 portion was read back by the reporter)</p> <p>24 Q And with respect, sir, and just limiting</p> <p>25 our question right now to the time you were at Booth,</p>	Page 18	<p>1 Christian Holinka 76</p> <p>2 A Daily.</p> <p>3 Q And I believe you said that you would use</p> <p>4 them to handle hot glassware; is that right?</p> <p>5 A Yes.</p> <p>6 Q Did you use them for any other application?</p> <p>7 A No.</p> <p>8 Q Did the mittens that you used at Booth --</p> <p>9 MR. SCHAFER: Withdrawn.</p> <p>10 Q When you first started using the mittens at</p> <p>11 Booth, what did they look like? Let's start with</p> <p>12 color.</p> <p>13 A Tanish, light gray. And they had a thumb</p> <p>14 compartment and a compartment for the whole hand.</p> <p>15 Q So, they did not have individual fingers?</p> <p>16 A No.</p> <p>17 Q Did they cover just the hand or did they</p> <p>18 run a length up your arm to some degree?</p> <p>19 A Including the wrist. (Indicating)</p> <p>20 Q Did the gloves appear to be made of one</p> <p>21 continuous piece or did they have a sleeve or anything</p> <p>22 around the end of them by the wrist? Do you</p> <p>23 understand my question?</p> <p>24 A Yes.</p> <p>25 Q Okay.</p>	Page 20
<p>1 Christian Holinka 75</p> <p>2 do you know what company supplied the pads that were</p> <p>3 used at Booth?</p> <p>4 A No, I do not.</p> <p>5 Q The names that you gave me are names that</p> <p>6 you associate with supplier's pads throughout your</p> <p>7 career; is that right?</p> <p>8 A Yes. And if I may say so, Booth was a job.</p> <p>9 I walked in there in the morning, did my work unlike</p> <p>10 later my scientific career, did my work and was not</p> <p>11 really further involved in any of the details of the</p> <p>12 laboratory.</p> <p>13 Q I understand. Did you have any</p> <p>14 responsibility for ordering any of the supplies that</p> <p>15 were used at that lab?</p> <p>16 A No.</p> <p>17 Q Did you ever see any paperwork that</p> <p>18 accompanied any of the supplies that were ordered at</p> <p>19 the lab and present in the supply area?</p> <p>20 A No, I didn't.</p> <p>21 Q You indicated that you also used heat</p> <p>22 mittens at Booth?</p> <p>23 A Yes.</p> <p>24 Q With what frequency would you use the heat</p> <p>25 mittens?</p>	Page 19	<p>1 Christian Holinka 77</p> <p>2 A They did not have a sleeve to the best of</p> <p>3 my recollection.</p> <p>4 Q Were there any words or logos or anything</p> <p>5 of any nature printed on the gloves themselves that</p> <p>6 you used at Booth?</p> <p>7 A Not to my recollection, no.</p> <p>8 Q Did they have a different material on their</p> <p>9 inside as opposed to their outside?</p> <p>10 A By inside you mean inside the glove or on</p> <p>11 the one side of the glove versus the other?</p> <p>12 Q Well, let me start with the portion of the</p> <p>13 glove that you would slide your hand into that was</p> <p>14 immediately contacting your skin, was that surface</p> <p>15 similar to the surface that you would see on the</p> <p>16 outside of the glove?</p> <p>17 A To the best of my recollection, yes.</p> <p>18 Q And was there a difference in the exterior</p> <p>19 surface of the glove between the portion that covered</p> <p>20 your palm as opposed to the portion that covered the</p> <p>21 back of your hand?</p> <p>22 A To the best of my recollection, no.</p> <p>23 Q Do you have any information as to the</p> <p>24 brand, trade, manufacturer's name or supplier of the</p> <p>25 gloves that were used at Booth, specifically at Booth?</p>	Page 21

Christian Holinka v. Asbestos - ROUGH DRAFT  
February 22, 2007

Christian Holinka  
ROUGH DRAFT

Christian Holinka 78  
Page 22

1 A They were standard suppliers that were used  
2 by the laboratory.  
3 Q When you say standard suppliers, sir, let  
4 me ask you as with the Bunsen burner pads, did you  
5 have any responsibility to order the gloves that were  
6 used at the lab?  
7 A No, I didn't.  
8 Q Do you know who did have that  
9 responsibility?  
10 A No.  
11 Q And I can appreciate the fact that that was  
12 just a job for you, sir, but specifically with respect  
13 to Booth, do you know who manufactured or supplied any  
14 of the gloves that you used there?  
15 A There were major suppliers for laboratory  
16 equipment and those suppliers supplied a broad  
17 spectrum of what was needed at the laboratory.  
18 Q Understood. But with respect to Booth, do  
19 you know who specifically supplied the gloves you used  
20 there?  
21 A No, I do not.  
22 Q Besides the gloves and the Bunsen burner  
23 pads, do you believe you personally handled any other  
24 types of materials at Booth that you think caused you  
25

Christian Holinka 80  
Page 24

1 A Physiology and French literature.  
2 Q And did you get your undergraduate degree  
3 in four years?  
4 A In two and a half years.  
5 Q Were you in a combined undergraduate and  
6 Master's program?  
7 A No.  
8 Q Did you take classes 12 months of the year  
9 to accelerate your graduation?  
10 A That's correct.  
11 Q During the time that you were taking  
12 undergraduate classes at UC Berkeley, do you believe  
13 that you were exposed to asbestos in any way?  
14 A Yes, I was.  
15 Q And again, limiting it to the two and a  
16 half years that you were there as an undergraduate,  
17 how do you believe that you were exposed to asbestos?  
18 A I worked part-time at a research laboratory  
19 with standard equipment including, of course, Bunsen  
20 burners, heat mittens.  
21 Q Besides the work part-time at the research  
22 laboratory for those two and a half years, do you  
23 believe that you were exposed to asbestos in any other  
24 way while you were an undergraduate?  
25

Christian Holinka 79  
Page 23

1 to be exposed to asbestos?  
2 A I do not know.  
3 Q How long would a pair of gloves typically  
4 last when you were using them?  
5 A Again, it depends on the use of course. I  
6 cannot estimate.  
7 Q And as you sit here today, besides the pads  
8 and the mittens - I'm sorry, we have been calling  
9 them gloves interchangeably.  
10 A Gloves, mittens, yes.  
11 Q Besides the pads and the mittens, are you  
12 aware as you sit here today of any other way that you  
13 may have been exposed to asbestos when you worked at  
14 the lab at Booth?  
15 A No, I am not aware of any other way.  
16 Q Why did you leave the job at Booth?  
17 A Because I was accepted by the University of  
18 California at Berkeley as an undergraduate student.  
19 Q And you went out to Berkeley and began your  
20 study; is that right?  
21 A Yes.  
22 Q As an undergraduate student did you have  
23 any major or particular field of study that you  
24 pursued?  
25

Christian Holinka 81  
Page 25

1 A Well, as part of your laboratory courses in  
2 academia, you do experiments requiring Bunsen burners.  
3 Q Let's talk about then the part-time work  
4 you did first. What was the name of the research  
5 laboratory that you did the part-time work at?  
6 A Department of physiology.  
7 Q So, this was a lab that was affiliated with  
8 the school?  
9 A Yes.  
10 Q When did you first start working there  
11 part-time as an undergraduate?  
12 A In spring 1960.  
13 Q Did you work there continuously part-time?  
14 A Yes.  
15 Q For how long did you work there  
16 continuously part-time?  
17 A Until mid-1962.  
18 Q And it was at that point that you had  
19 completed your undergraduate work?  
20 A Yes.  
21 Q Where was the department of physiology lab  
22 located?  
23 A At the Life Sciences Building on the main  
24 campus, University of Cal Berkeley.  
25

Christian Holinka v. Asbestos - ROUGH DRAFT  
February 22, 2007

Christian Holinka  
ROUGH DRAFT

<p>1 Christian Holinka 82 2 Q Do you know if that building is still 3 there? 4 A Yes. 5 Q It is? 6 A Yes, it is. 7 Q And when was the last time that you had an 8 opportunity to be in that building? 9 A About a year and a half ago, two years ago. 10 Q Did you have the opportunity to go to the 11 space where you worked out of in your last visit? 12 A I had the opportunity but I did not go into 13 the laboratories. The building has been completely 14 changed and renovated. 15 Q So, you understand that the physical layout 16 of the area where you were working part-time has 17 changed from the time that you were there? 18 A Yes. 19 Q When you were there can you give me an idea 20 of the size of the laboratory that you were in? 21 A In square feet? 22 Q Or by length and width, height, anything 23 you can do. 24 A It was two different rooms about 4 to 600 25 square feet.</p>	<p>Page 26 1 Christian Holinka 84 2 replacing these spent pads while you were working 3 part-time at Berkeley? 4 A Yes. 5 Q And where would you get the replacement 6 pads from? 7 A The departmental supply cabinet. 8 Q And thinking back to the lab at Berkeley, 9 where was that located? 10 A At the Life Sciences Building in the 11 physiology department. 12 Q Was it located within the physical space of 13 the two rooms that comprised the lab? 14 A It was in a separate room, the supply room. 15 Q Down a hallway or something like that? 16 A Down a hallway, yes. 17 Q How many times do you recall picking up 18 replacement pads? 19 A I do not recall exactly. 20 Q Was there -- 21 A An estimate is once every two or three 22 weeks. 23 Q And the replacement process would entail 24 removing the old pad, then what would happen with it? 25 A You dispose the old pad in general garbage,</p>
<p>1 Christian Holinka 83 2 Q And did you work in both rooms? 3 A Yes. 4 Q Were the Bunsen burners in one room or both 5 rooms? 6 A In both. 7 Q How many Bunsen burners were in the rooms? 8 A About two each. 9 Q Did these Bunsen burners in their physical 10 appearance seem similar to those that you encountered 11 when you were at Booth? 12 A Yes. 13 Q How do you believe that you were exposed to 14 asbestos from the Bunsen burners as a part-time worker 15 at UC Berkeley? 16 A As the flame when it was used frequently, 17 the insert became brittle, it generated dust and it 18 had to be exposed -- disposed of and replaced by 19 another pad. 20 Q Was there anything different about the 21 nature you believe you were exposed from those Bunsen 22 burners at UC Berkeley as opposed to those you 23 encountered at Booth? 24 A No. 25 Q Did you ever have any responsibility for</p>	<p>Page 27 1 Christian Holinka 85 2 trash. There was to my knowledge no precaution 3 required at the time. 4 Q In order to remove the pad, did you have to 5 remove any screws or snaps or anything to take it away 6 from the rest of the burner itself? 7 A No, I didn't. 8 Q Just lifted it right up and it went? 9 A Yes. 10 Q Do you know the brand, trade or 11 manufacturer's name first of any of the Bunsen burner 12 pads that you replaced at Berkeley? 13 A I do not. We had standard suppliers and 14 the big suppliers were Fisher Scientific, American 15 Scientific, Van Waters and Rogers, Senco. 16 Q How do you spell Senco? 17 A S-E-N-C-O. 18 Q Do you know that each of those companies 19 was a supplier of materials generally to the lab that 20 you worked at part-time? 21 A Yes. 22 Q How did you know that each of them supplied 23 materials of whatever nature? 24 A They were major suppliers and I know they 25 were used for a number of materials for the</p>

Christian Holinka v. Asbestos - ROUGH DRAFT  
February 22, 2007Christian Holinka  
ROUGH DRAFT

Christian Holinka 86		Page 30	Christian Holinka 88	Page 32
1	laboratory.		1	Q To transport it from point A to point B?
2	Q What I am trying to find out, sir, is why		2	A Or even to swirl it while it is being
3	you believe that those companies supplied materials of		3	heated.
4	any nature to that lab, how did you come into that		4	Q I see, to grab the flask itself?
5	knowledge?		5	A To dissolve the material. And you also use
6	A Because they were standard suppliers.		6	the mittens when you dry glassware in a hot drying
7	Q How did you know that they were standard		7	oven at very high temperatures and then you handle it.
8	suppliers?		8	If you want to cool it, you take it fast, you take it
9	A Well, among other things I ordered from		9	out into the open space.
10	them.		10	Q Besides the Bunsen burners and the mittens,
11	Q When you were at the lab.		11	do you believe that you personally used any other
12	A Yes.		12	materials that contained asbestos while part-time at
13	Q As a part-timer.		13	the lab?
14	A Yes.		14	A I don't know.
15	Q Did these companies have catalogs of their		15	Q Is there anything that as you sit here
16	material available?		16	today leads you to believe that there was other
17	A Very conspicuously, yes.		17	products that you handled that may have contained
18	Q Did each one of those companies have		18	asbestos there?
19	catalogs at the lab?		19	A I don't know.
20	A I do not specifically recall at Berkeley		20	Q Besides the products that you handled, do
21	during my undergraduate days.		21	you believe that you were exposed to asbestos in any
22	Q Did the physical appearance of the pads		22	other way when you were working part-time at the lab?
23	that you used at Berkeley seem similar to those that		23	A I don't know.
24	you encountered at Booth?		24	Q You cannot give me any other specific way
25			25	
Christian Holinka 87		Page 31	Christian Holinka 89	Page 33
1	A Yes, they did.		1	that you think you may have been exposed to asbestos
2	Q Same diameter of the pad area within the		2	when you were at the lab?
3	mesh?		3	MR. DARCHE: Objection to the form.
4	A Yes.		4	MR. SCHAFER: I will rephrase the
5	Q And same width too?		5	question.
6	A Yes.		6	Q Looking back is there any other way that
7	Q How often would you be required to use heat		7	you can think of at this time that you may have been
8	mittens when you were part-time at the lab?		8	exposed to asbestos there?
9	A Several times a week.		9	A I do not know what other equipment may or
10	Q And for what application at the lab as a		10	may not have contained asbestos.
11	part-time worker would you use the mittens?		11	Q Did you --
12	A To handle hot glass work.		12	A If yes then --
13	Q And where would the glass work be coming		13	MR. DARCHE: Don't guess.
14	from?		14	Q Going to the mittens for a moment, did
15	A Standard glass work at the laboratory that		15	these resemble those that you had encountered at
16	they used for research. Erlenmeyer flasks, other		16	Booth?
17	flasks, beakers, standard glass material.		17	A Yes.
18	Q What application would require you to use		18	Q Was there anything different about their
19	the gloves to handle these standard pieces of		19	physical appearance in terms of their color or their
20	glassware?		20	size or anything at all that distinguished them from
21	A When you have a flask you put it on the		21	those at Booth?
22	Bunsen burner pad, you heat water or whatever liquid,		22	A No, they were similar.
23	you swirl it, obviously you have to use the glove		23	Q Do you know specifically the brand, trade
24	because the glass is hot.		24	or manufacturer of the mittens that were used when you
25			25	

Christian Holinka v. Asbestos - ROUGH DRAFT  
February 22, 2007

Christian Holinka  
ROUGH DRAFT

<p>1 Christian Holinka 90 2 were at the lab part-time? 3 A No. 4 Q Do you believe that they were supplied by 5 one of the companies that you have identified? 6 A Yes. 7 Q Do you know which of those companies, if 8 any, actually supplied the mittens while you were 9 there? 10 A I do not know any specific company. Again, 11 they were standard suppliers. 12 Q You said that as a part -- 13 MR. SCHAFFER: Withdrawn. 14 Q You said that while working there part-time 15 you had some responsibility for ordering supplies; is 16 that right? 17 A Yes. 18 Q Do you specifically recall ordering any 19 Bunsen burner pads? 20 A No, I never did. 21 Q Do you specifically recall ordering any 22 mittens while you were there part-time? 23 A No, I never did order any. 24 Q While you were there part-time, do you know 25 who had that responsibility when you were there?</p>	<p>Page 34</p> <p>1 Christian Holinka 92 2 A Yes. 3 Q How many lab courses did you take? 4 MR. SCHAFFER: I'm sorry, I will withdraw 5 the question. 6 Q My question is how many lab courses did you 7 take that you believe may have involved asbestos 8 exposure. 9 A About a half a dozen. 10 Q What type of courses were these? 11 A Chemistry, physiology. 12 Q Did you take these classes in the Life 13 Sciences Building? 14 A In several buildings, physiology and the 15 Life Sciences Building. 16 Q Were the physiology classes taken at least 17 in part in the same lab where you worked part-time? 18 A No. 19 Q Different space entirely? 20 A Yes. 21 Q Just going back for a moment to when you 22 were a part-time worker, about how many hours on 23 average did you put in there? 24 A Between 12 and 20 hours a week. 25 Q And who was your supervisor when you were</p>
<p>1 Christian Holinka 91 2 A I don't know. 3 Q Did you work with other people there? 4 A No, I didn't. 5 Q Were there other students who held 6 part-time positions similar to you? 7 A Yes, at other laboratories. 8 Q At other laboratories located on the 9 campus? 10 A In the physiology department, yes, on the 11 campus. 12 Q Were there additional laboratories in this 13 building where other students worked where you did not 14 work? 15 A I don't know. 16 Q Did the two room laboratory in the Life 17 Sciences Building have any specific name or room 18 number or designation or anything like that? 19 A A room number. 20 Q Yes. 21 A Certainly. 22 Q Do you remember what that was? 23 A No. 24 Q You mentioned also that you took lab 25 courses while you were an undergraduate.</p>	<p>Page 35</p> <p>1 Christian Holinka 93 2 there? 3 A Dr. Cook. 4 Q Do you know Dr. Cook's first name? 5 A Sherburne. 6 Q And is Dr. Cook still alive? 7 A No. 8 Q The classes that you took in chemistry and 9 physiology, how do you believe you were exposed to 10 asbestos through taking those classes? 11 A The asbestos pad, as I said, when exposed 12 to high heat disintegrated eventually. There were 13 cracks in it and it generated fine dust. I did not 14 dispose, that was somebody else's job. 15 Q So, it would have been through your use of 16 the Bunsen burners and these pads -- 17 A Yes. 18 Q -- at times while taking these classes? 19 A Yes. 20 Q Was there a standard amount of Bunsen 21 burners present in the labs that you would take these 22 classes in? 23 A One per workbench. 24 Q Would you typically work at the same 25 workbench each class or would it just be random?</p>

Christian Holinka v. Asbestos - ROUGH DRAFT  
February 22, 2007

Christian Holinka  
ROUGH DRAFT

Page 38		Page 40	
1	Christian Holinka 94	1	Christian Holinka 96
2	A In a given course the same workbench.	2	manufacturer's name of any of the mittens that you
3	Q Did you wind up taking different courses,	3	used in any of these courses?
4	say in chemistry, that wound up being in the same room	4	A No.
5	but different work spaces?	5	Q Were they similar in appearance to the
6	A I don't think the same room and, therefore,	6	mittens that you encountered while working part-time
7	also different work spaces.	7	in the lab?
8	Q And then going to the physiology classes,	8	A Yes, they were.
9	did you take different courses in physiology where you	9	Q Anything distinguishing in your mind about
10	used these Bunsen burners?	10	them as opposed to what you saw in the lab?
11	A Yes.	11	A To my knowledge, no.
12	Q Were they all in the same classroom or	12	Q That is all I am asking is to your
13	different classrooms?	13	knowledge.
14	A Different laboratories.	14	A Okay.
15	Q And different work spaces?	15	Q Outside of the Bunsen burner pads and the
16	A Yes.	16	mittens, do you believe that you were exposed to
17	Q Do you know the brand, trade or	17	asbestos in any other way while taking the classes as
18	manufacturer's name of any of the pads that were used	18	an undergraduate?
19	on the Bunsen burners that you encountered in any of	19	A I do not know.
20	these classes?	20	Q Can you, as you sit here today, give me any
21	A Of the pads you're saying?	21	other specific way that you think you may have been
22	Q Yes, of the pads.	22	exposed to asbestos from the classes besides what you
23	A I do not specifically know the brand names.	23	told me?
24	Q Do you know who was the supplier of those	24	A No, I cannot.
25	pads that you encountered specifically in those rooms?	25	Q Besides the course work in the labs, are
Page 39		Page 41	
1	Christian Holinka 95	1	Christian Holinka 97
2	A There were standard suppliers also to the	2	there any other ways that you believe that you were
3	physiology department.	3	exposed to asbestos as an undergraduate at UC Berkeley
4	Q As a student you did not have	4	through your studies as opposed to work?
5	responsibilities for ordering supplies, right?	5	A I do not believe so.
6	A No, I did not.	6	Q What degree did you get?
7	Q Besides encountering the Bunsen burner	7	A A BA.
8	pads, are there any other ways that you think you were	8	Q In what?
9	exposed to asbestos during the course work that you	9	A French literature and physiology as a
10	took at UC Berkeley?	10	minor.
11	A We did use heat mittens but otherwise to my	11	Q After you graduated did you become employed
12	knowledge, no.	12	at the school?
13	Q How often would you need to use a heat	13	A No, I did not.
14	mittens during the course of a class?	14	Q What was your next, after you obtained your
15	A At a given session several times.	15	undergraduate degree, what was next in your
16	Q Did you need to use them during every	16	professional career?
17	session?	17	A I started, I worked as a graduate student
18	A No.	18	in physiology, I was a graduate student in physiology.
19	Q And a session or a period was how long,	19	Q And when did you -- you graduated, I'm
20	sir, about?	20	sorry, undergrad in middle 1962?
21	A Typically about twice a week for 12 weeks.	21	A Yes.
22	Q And each session twice a week would be	22	Q And that would have been sometime in the
23	about how long?	23	summer?
24	A About three hours.	24	A Yes.
25	Q And do you know the brand, trade or	25	Q And did you go right into the graduate

Christian Holinka v. Asbestos - ROUGH DRAFT  
February 22, 2007

Christian Holinka  
ROUGH DRAFT

<p>1 Christian Holinka 98</p> <p>2 student program at that time?</p> <p>3 A No, I did not.</p> <p>4 Q What happened in between the time that you</p> <p>5 left undergrad and you started graduate studies?</p> <p>6 A I was in New York part-time for a period of</p> <p>7 time not involving any laboratory.</p> <p>8 Q Well, how long were you in New York after</p> <p>9 you finished undergrad?</p> <p>10 A For about six months.</p> <p>11 Q Taking us from when to when?</p> <p>12 A Taking us from the end of the year -- well,</p> <p>13 there was a very brief period I was in medical school.</p> <p>14 Q Okay.</p> <p>15 A But not really in a major, about three</p> <p>16 months.</p> <p>17 Q So, let's kind of break it down a little</p> <p>18 bit more. You finished your undergraduate degree in</p> <p>19 the middle of 1962, and then you started med school,</p> <p>20 would that be in the fall of 1962?</p> <p>21 A There is a kind of a hiatus.</p> <p>22 Q All right.</p> <p>23 A I was at Hunter -- from New York, from</p> <p>24 Berkeley I was at Hunter College as a student for two</p> <p>25 semesters.</p>	<p>Page 42</p> <p>1 Christian Holinka 100</p> <p>2 A Graduate work, graduate studies.</p> <p>3 Q And you started that course work in the</p> <p>4 fall of 1962?</p> <p>5 A Yes.</p> <p>6 Q And you took it for two semesters?</p> <p>7 A Yes.</p> <p>8 Q That would take us into the late spring or</p> <p>9 early summer of 1963?</p> <p>10 A That's correct.</p> <p>11 Q What was the nature of the studies that you</p> <p>12 were pursuing at Hunter at that time?</p> <p>13 A Biology.</p> <p>14 Q Were you accepted into a graduate program?</p> <p>15 A Yes.</p> <p>16 Q Do you believe that you were exposed to</p> <p>17 asbestos in any of the courses that you took over</p> <p>18 those two semesters at Hunter?</p> <p>19 A Yes.</p> <p>20 Q And how do you believe that you were</p> <p>21 exposed to asbestos while attending the course work at</p> <p>22 Hunter for those two semesters?</p> <p>23 A There was one chemistry laboratory that had</p> <p>24 practical sessions, laboratory sessions.</p> <p>25 Q And how do you believe you were exposed to</p>
<p>1 Christian Holinka 99</p> <p>2 Q Let me then, what I want to try to do, sir,</p> <p>3 is keep it as ordered chronologically as much as we</p> <p>4 can. So, after you leave UC Berkeley --</p> <p>5 MR. SCHAFFER: Withdrawn.</p> <p>6 Q After you graduate from UC Berkeley, did</p> <p>7 you move to New York at that time?</p> <p>8 A Yes, I did.</p> <p>9 Q So, you moved to New York.</p> <p>10 A Yes.</p> <p>11 Q When do you get to New York approximately?</p> <p>12 A In the fall -- late summer of that year,</p> <p>13 1962.</p> <p>14 Q From the time that you graduated until you</p> <p>15 came to New York, did you work at all in California?</p> <p>16 A No.</p> <p>17 Q Why did you come to New York?</p> <p>18 A I like New York.</p> <p>19 Q And when you came to New York, is that when</p> <p>20 you began your studies at Hunter?</p> <p>21 A Yes.</p> <p>22 Q Were those full-time studies?</p> <p>23 A Yes.</p> <p>24 Q And what degree or types of course work</p> <p>25 were you pursuing at that time?</p>	<p>Page 43</p> <p>1 Christian Holinka 101</p> <p>2 asbestos taking those sessions?</p> <p>3 A By using Bunsen burners. I do not recall</p> <p>4 using heat mittens.</p> <p>5 Q What building was the laboratory in, if you</p> <p>6 know?</p> <p>7 A On the Park Avenue building.</p> <p>8 Q And was this one class that you took or</p> <p>9 more than one class in the laboratory?</p> <p>10 A I believe it was only one class.</p> <p>11 Q And do you know whether this was in your</p> <p>12 first semester or second semester there?</p> <p>13 A I don't remember.</p> <p>14 Q How long did that class typically last?</p> <p>15 A One semester, approximately four months.</p> <p>16 Q And each week how many sessions and how</p> <p>17 long were they?</p> <p>18 A I believe one session.</p> <p>19 Q And how many hours would the session be?</p> <p>20 A Three hours.</p> <p>21 Q And do you believe that you were exposed to</p> <p>22 asbestos from the Bunsen burners at this laboratory in</p> <p>23 a fashion similar to those that you described in your</p> <p>24 prior employment and course work?</p> <p>25 A Yes.</p>

Christian Holinka v. Asbestos - ROUGH DRAFT  
February 22, 2007Christian Holinka  
ROUGH DRAFT

1 Christian Holinka 102  
 2 Q Was there anything physically different  
 3 about the Bunsen burners there as opposed to ones you  
 4 had encountered before?  
 5 A No.  
 6 Q Do you know the brand, trade or  
 7 manufacturer's name of any of the Bunsen burners or  
 8 any of their components that you saw at the chemistry  
 9 lab at Hunter?  
 10 A No.  
 11 Q Do you know who supplied any of the Bunsen  
 12 burners or Bunsen burner components that you used  
 13 there at that lab?  
 14 A No, I don't.  
 15 Q Did you ever have to replace any of the  
 16 Bunsen burner pads there in a fashion similar to what  
 17 you told us before?  
 18 A No; I did not.  
 19 Q Are there any other ways --  
 20 MR. SCHAFFER: Withdrawn.  
 21 Q Are there any other ways that you believe  
 22 you were exposed to asbestos while attending school at  
 23 Hunter?  
 24 A Not to my knowledge.  
 25 Q Why did you stop attending Hunter?

Page 46

1 Christian Holinka 104  
 2 (Whereupon, at 11:20 A.M., a short recess  
 3 was taken)  
 4 (Back on the record at 11:30 A.M.)  
 5 Q Sir, we are back on the record and I think  
 6 we had your chronology up to when you were starting  
 7 medical school at McGill in the fall of 1963. You  
 8 told us that you were in medical school for  
 9 approximately three months?  
 10 A That's correct.  
 11 Q Until around the holiday season of 1953?  
 12 A No, '63.  
 13 Q I'm sorry, '63.  
 14 A Early '64, I believe.  
 15 Q Did you finish one semester there and start  
 16 another?  
 17 A Yes. I did not start another.  
 18 Q During the time that you were there for  
 19 that one semester, what types of course work did you  
 20 take?  
 21 A Mainly lecture courses and one laboratory  
 22 course.  
 23 Q Do you believe that any of your course work  
 24 while you were attending medical school at McGill  
 25 caused you to be exposed to asbestos?

Page 48

1 Christian Holinka 103  
 2 A I was accepted to medical school.  
 3 Q And what medical school?  
 4 A McGill University, Montreal.  
 5 Q And were you accepted to begin course work  
 6 in the fall of 1963?  
 7 A That's correct.  
 8 Q From the time you left your graduate  
 9 studies at Hunter until the time that you --  
 10 MR. SCHAFFER: Withdrawn.  
 11 Q Did you actually start medical school at  
 12 McGill?  
 13 A Yes, yes, I did.  
 14 Q From the time you left Hunter until the  
 15 time you went to Montreal to begin medical school,  
 16 what type of employment did you have, if any?  
 17 A I did not have any employment.  
 18 Q That summer you did not work?  
 19 A Right.  
 20 Q What did you do?  
 21 A Read.  
 22 Q To get ready --  
 23 A Listen to music.  
 24 MR. DARCHE: Could we take a quick break,  
 25 please.

Page 47

1 Christian Holinka 105  
 2 A No, I was not, I do not believe having been  
 3 exposed to asbestos.  
 4 Q And did you leave medical school for  
 5 academic reasons?  
 6 A No.  
 7 Q Why did you leave medical school?  
 8 A Because I didn't like the medical  
 9 curriculum.  
 10 Q While you were attending medical school at  
 11 McGill, was there any time to hold part-time work?  
 12 A No.  
 13 Q And after you left medical school, what did  
 14 you do next?  
 15 A I went back to Berkeley, California.  
 16 Q You had mentioned at one point that you  
 17 were in New York part-time for about six months  
 18 although we had not discussed that yet, are we still  
 19 before that period of time happens?  
 20 A We are before that period of time.  
 21 Q So, you went back to Berkeley and --  
 22 A And it was longer than six months.  
 23 Q Then when you went back to Berkeley, what  
 24 did you do when you went back to Berkeley?  
 25 A I worked at the same research laboratory

Page 49

Christian Holinka v. Asbestos - ROUGH DRAFT  
February 22, 2007Christian Holinka  
ROUGH DRAFT

Page 50		Page 52	
1	Christian Holinka 106	1	Christian Holinka 108
2	that I had worked in as an undergraduate under	2	Q During this time that you were working for
3	essentially the same conditions and the same space.	3	the school at the lab, did you have responsibility for
4	Q Were you taking classes at this time when	4	ordering any of these materials that were used during
5	you went back to Berkeley?	5	this period?
6	A No.	6	A No, I did not.
7	Q So, you were an employee of the school; is	7	Q Was there anything different about the
8	that fair to say?	8	Bunsen burner pads in terms of their physical
9	A Yes.	9	appearance during this employment as compared to those
10	Q And when you went back to work at the lab	10	you had seen previously?
11	at Berkeley, it was in the same physical space, the	11	A No.
12	two rooms that you discussed in the Life Sciences	12	Q Was there anything different about the
13	Building?	13	appearance of the mittens?
14	A That's correct.	14	A No.
15	Q As a full-time employee what was your shift	15	Q And do you know the brand, trade or
16	there?	16	manufacturer's names of any of the pads that you
17	A Depended on the project. I worked	17	encountered during this time that you were employed by
18	full-time essentially during the day.	18	the school up to 1964, August?
19	Q Let me ask --	19	A It was standard suppliers.
20	A But it was flexible.	20	Q But specifically with respect to the pads
21	Q Let me ask it a different way: On average	21	that you used or encountered during that period in
22	how many hours a week did you put in?	22	1964, do you know who made or supplied them?
23	A Forty hours.	23	A No, I don't. But they were routinely
24	Q And how long did you hold this position as	24	ordered from standard suppliers, the companies; Fisher
25	an employee of the university working in the lab?	25	Scientific, American Scientific, Senco, Van Waters and
Page 51		Page 53	
1	Christian Holinka 107	1	Christian Holinka 109
2	A Until approximately August of that year,	2	Rogers.
3	1964.	3	Q Do you know who had the responsibility for
4	Q Did you go right back to Berkeley after you	4	ordering materials that were used during that time
5	ended your studies at McGill?	5	period in 1964 that you were working at the lab?
6	A Yes.	6	A No, I do not. They were centrally ordered.
7	Q So, the total time back at Berkeley is	7	Q Do you know specifically the brand, trade
8	somewhere in the seven or eight month range; is that	8	or manufacturer's name of the mittens that you used
9	fair, sound about right?	9	during that time period in 1964?
10	A So far, yes.	10	A No, I do not.
11	Q Right.	11	Q Did you use or encounter both of those
12	A Where we are now.	12	materials --
13	Q Where we are now.	13	MR. SCHAFER: Withdrawn.
14	A Yes.	14	Q Was there anything different about the
15	Q During the time that you were back at the	15	frequency that you used these materials while you were
16	laboratory as an employee of the school working	16	employed as opposed to that when you were working
17	full-time, do you believe that you were exposed to	17	part-time?
18	asbestos?	18	A I used them proportionately more frequent.
19	A Yes.	19	Q As a full-time person?
20	Q Do you believe that you were exposed to --	20	A Yes.
21	MR. SCHAFER: Withdrawn.	21	Q Who was your supervisor or the person you
22	Q For this six month period how do you think	22	reported to there?
23	you were exposed to asbestos?:	23	A Dr. Cook, Professor Sherburne S. Cook.
24	A By Bunsen burner pads and heat insulating	24	Q How would you spell Sherburne?
25	mittens.	25	A S-H-E-R-B-U-R-N-E.

Christian Holinka v. Asbestos - ROUGH DRAFT  
February 22, 2007Christian Holinka  
ROUGH DRAFT

		Page 54	Page 56
1	Christian Holinka 110		Christian Holinka 112
2	Q Are there any other -- as you sit here	1	A No.
3	today, do you believe that you were exposed to	2	Q Were you a full-time student?
4	asbestos in any other way working at the lab as a	3	A Yes.
5	full-time employee in 1964?	4	Q Do you believe that you were exposed to
6	A I do not know.	5	asbestos being a full-time graduate student from 1964
7	Q You cannot tell me any other specific ways	6	to 1966?
8	at this time?	7	A Yes, I was.
9	A No.	8	Q And how do you believe you were exposed to
10	Q The number of burners were the same in both	9	asbestos during that timed period?
11	rooms as you had seen before?	10	A Bunsen burner pads and heat insulating
12	A Yes.	11	mittens.
13	Q Was the attendant equipment the same as it	12	Q And were these items located within the
14	had been before?	13	same Life Sciences Building laboratory that we have
15	A Yes.	14	been discussing?
16	Q What happened next after you were working	15	A Not the same laboratory but the same
17	full-time in August of 1964?	16	building, the same floor.
18	A I was accepted as a graduate student in	17	Q Then let's talk about the room that this
19	physiology by the University of California, Berkeley.	18	took place. What did this laboratory look like, first
20	Q And did you ultimately obtain your graduate	19	in terms of the number of rooms?
21	degree?	20	A It was one room, a large laboratory.
22	A Yes.	21	Q How many Bunsen burners were in there?
23	Q When did you get the graduate degree?	22	A An estimated six to eight.
24	A 1968.	23	Q Was there anything different about how
25	Q When about?	24	these Bunsen burners and their pads appeared as
1	Christian Holinka 111	Page 55	Page 57
2	A Summer, I think in August 1968.		Christian Holinka 113
3	Q And what was the nature of the graduate		opposed to those you had encountered in the other lab
4	degree?		in the building?
5	A Physiology.		A No, there wasn't.
6	Q Did you go to classes full-time during the		Q Was there anything different about the
7	time period you were a graduate student?		appearance of the mittens that you had encountered?
8	A I did full-time research and involving some		A No, there wasn't.
9	courses.		Q As a full-time graduate student you were
10	Q During the time period August 1964 to		taking courses in the labs; is that right?
11	August 1968, did you hold any employment at all?		A Courses in the classroom and research, my
12	A Yes.		own research project at the laboratory.
13	Q Were you working at the lab again?		Q Did you have to complete a dissertation of
14	A No. Perhaps it -- probably, if I may		some sort to get your degree?
15	suggest, it would be easier to go chronological.		A Yes, I did.
16	Q That would be fine and I would appreciate		Q What was your dissertation?
17	that.		A Estrogen receptors in the hypothalamus of
18	When you started in August of 1964, were		the brain.
19	you taking courses full-time?		Q And that required you to do research in the
20	A Courses and research full-time.		lab in order to complete your paper?
21	Q And how long did that remain constant,		A Yes, I did.
22	courses and classes full-time?		Q Did you have a faculty advisor that you
23	A Until 1966.		were required to report the status of your project to?
24	Q During the time 1964 to 1966, did you hold		A Yes, I did.
25	any employment, did you work at all?		Q And did that person work with you

Christian Holinka v. Asbestos - ROUGH DRAFT  
February 22, 2007

Christian Holinka  
ROUGH DRAFT

<p>1 Christian Holinka 114</p> <p>2 Q Did that person have responsibility to be 3 with you while you were conducting the research side 4 of the paper?</p> <p>5 A She was the head of the laboratory and 6 supervised my research, the answer is yes.</p> <p>7 Q Who was that?</p> <p>8 A Dr. Paola Timiras. Should I spell it?</p> <p>9 Q Yes, that would be great.</p> <p>10 A First name P-A-O-L-A, last name 11 T-I-M-I-R-A-S.</p> <p>12 Q And would you have any information as to 13 whether she is still alive?</p> <p>14 A No, I don't.</p> <p>15 Q But the last time you would have spoken 16 with her had been when you were at the university at 17 some point?</p> <p>18 A No, it wasn't.</p> <p>19 Q When was it?</p> <p>20 A It was about six years ago.</p> <p>21 Q Where was she living at the time?</p> <p>22 A In Berkeley, California.</p> <p>23 Q Was she still at the school?</p> <p>24 A That was the occasion of her retirement but 25 she remained an active emeritus professor.</p>	<p>Page 58</p> <p>1 Christian Holinka 116</p> <p>2 supplies," would it be fair to say that these were 3 items regularly used that would try to be kept in 4 stock for use in the labs?</p> <p>5 A That is correct to say.</p> <p>6 Q Was the stockroom that supported this other 7 one room lab you are in the same stockroom that 8 supported the lab we talked about before?</p> <p>9 A To an extent, yes, the answer is yes.</p> <p>10 Q Did you while you were a full-time graduate 11 student need to replace any of the pads?</p> <p>12 A Yes, I did.</p> <p>13 Q When you needed to replace them, where 14 would you go to get the replacement pads?</p> <p>15 A From the supply room.</p> <p>16 Q The same supply room we talked about?</p> <p>17 A Yes.</p> <p>18 Q Are there any other specific ways that you 19 believe that you were exposed to asbestos while 20 working at this lab from 1964 to 1966?</p> <p>21 A I do not know.</p> <p>22 Q As you sit here today, do you have any 23 reason to believe that you were exposed to asbestos in 24 any other way besides what you have told us with 25 respect to this lab?</p>
<p>1 Christian Holinka 115</p> <p>2 Q Do you know specifically the brand, trade 3 or manufacturer's name of any of the Bunsen burner 4 pads that you encountered while a graduate student 5 during this time period 1964 to 1966?</p> <p>6 A They were ordered from standard suppliers, 7 the names I have mentioned before.</p> <p>8 Q You were not responsible for doing the 9 ordering during this period?</p> <p>10 A No, I was not.</p> <p>11 Q Who was?</p> <p>12 A A simple supply person:</p> <p>13 Q I do not understand what that means. Can 14 you give me an idea what you are talking about when 15 you use that term?</p> <p>16 A Well, typically in the department there was 17 a technician who was responsible for supplies. If you 18 needed specific research supplies for your own 19 research, you looked at the catalog, Fisher 20 Scientific, the main catalogs, Van Waters and Rogers, 21 and picked out the things you needed very specifically 22 for your research. General supplies were ordered 23 centrally periodically because they were standard 24 supplies at each laboratory.</p> <p>25 Q And when you use the term "standard</p>	<p>Page 59</p> <p>1 Christian Holinka 117</p> <p>2 A I do not know.</p> <p>3 Q You obtained your graduate degree in --</p> <p>4 MR. SCHAFER: Withdrawn.</p> <p>5 Q What happens in 1966?</p> <p>6 A In 1966 I was admitted to graduate school 7 at Berkeley in comparative literature.</p> <p>8 Q So, in 1966 did you get your graduate 9 degree in physiology?</p> <p>10 A Yes.</p> <p>11 Q And this was the degree that had the paper 12 you told us about associated with that.</p> <p>13 A Yes.</p> <p>14 Q And then you went on for another graduate 15 degree there?</p> <p>16 A Yes, I did.</p> <p>17 Q And did you get that second degree?</p> <p>18 A Yes, I did.</p> <p>19 Q And is that the degree you got in August of 20 1968?</p> <p>21 A Yes, that's correct.</p> <p>22 Q During the time that you were going for 23 this additional graduate degree, did you work at all?</p> <p>24 A As a teaching assistant.</p> <p>25 Q Did you do any work in the lab at all?</p>

Christian Holinka v. Asbestos - ROUGH DRAFT  
February 22, 2007

Christian Holinka  
ROUGH DRAFT

Christian Holinka 118 Page 62

1 A No.  
2 Q Do you believe that you were exposed to  
3 asbestos in any way from the time period 1966 to  
4 August 1968?  
5 A I do not believe so but I don't know.  
6 Q We are in August of 1968 now. Did you go  
7 on to take any other classes at Berkeley once you had  
8 obtained these two graduate degrees on top of your  
9 undergraduate degree?  
10 A I continued as a graduate student.  
11 Q And were you continuing as a full-time  
12 graduate student starting in August of 1968?  
13 A Yes. Together with teaching as a teaching  
14 assistant.  
15 Q And what types of course work were you  
16 involved in as a teaching assistant?  
17 A French language.  
18 Q More associated with your literature  
19 graduate degree?  
20 A Yes.  
21 Q And how long did you take additional  
22 courses and also work as a teaching assistant?  
23 A And do library research until 1971.  
24 Q Did you obtain another degree?

Christian Holinka 120 Page 64

1 or June.  
2 Q And after that what was the next thing that  
3 you did in your life?  
4 A I was accepted as a graduate student in  
5 biological sciences at the State University of New  
6 York at Stony Brook.  
7 Q And how long did you attend graduate school  
8 at SUNY Stony Brook?  
9 A Until 1974.  
10 Q What month did you finish there?  
11 A In July, end of June or July.  
12 Q Did you get a degree from SUNY Stony Brook?  
13 A Yes, I did.  
14 Q What was that degree?  
15 A PhD.  
16 Q In what?  
17 A Biological sciences.  
18 Q Was this full-time academic studies?  
19 A It was full-time academic studies but I  
20 also worked part-time in addition.  
21 Q Where did you work part-time?  
22 A Columbia University Presbyterian Medical  
23 Center, clinical chemistry.  
24 Q When did you start doing the part-time work

Christian Holinka 119 Page 63

1 A No, I didn't. However, during that period  
2 I had a stipend for a year in Paris and I do have a  
3 certificate, a degree from the Sorbonne.  
4 Q From the time frame of August of 1968 until  
5 1971, do you believe that you were exposed to asbestos  
6 in any way?  
7 A I do not know but I don't believe so.  
8 Q Besides working as a teaching assistant,  
9 did you hold any other for-pay employments during this  
10 time period?  
11 A I taught intermittently language at the  
12 Berlitz School and a course in literature in Berkeley  
13 above the level of teaching assistant.  
14 Q And during that time period do you recall  
15 holding any other jobs aside from what you told us?  
16 A No.  
17 MR. SCHAFFER: Off the record for one  
18 second.  
19 (Discussion held off the record)  
20 Q When did you finish this period of time in  
21 your life when you were teaching literature and taking  
22 graduate classes, you told us it was in 1971, I am  
23 trying to find out when.  
24 A Yes. In the spring semester ending in May

Christian Holinka 121 Page 65

1 at Columbia?  
2 A 1971.  
3 Q Would it have been contemporaneous with the  
4 course work at SUNY?  
5 A Yes, it was.  
6 Q Did you get the job through connections at  
7 SUNY?  
8 A No, I did not.  
9 Q How did you come to get that job?  
10 A I applied personally through somebody, a  
11 professor there who I knew.  
12 Q How long did you work in the clinical  
13 chemistry department at Columbia University?  
14 A Until 1974.  
15 Q And was it basically employment there  
16 continuous with the time that you were taking the  
17 studies at SUNY Stony Brook?  
18 A Yes.  
19 Q During the time that you were out at Stony  
20 Brook, do you believe that you were exposed to  
21 asbestos while taking your studies?  
22 A Yes, I was.  
23 Q During the time that you were working for  
24 Columbia, do you believe that you were exposed to

Christian Holinka v. Asbestos - ROUGH DRAFT  
February 22, 2007

Christian Holinka  
ROUGH DRAFT

		Page 66	Page 68
1	Christian Holinka	122	Christian Holinka
2	asbestos?		124
3	A Yes, I was exposed.		2 Q And how many Bunsen burners were in there?
4	Q We are going to break them both down then.		3 A I would estimate three.
5	When you were taking the courses at SUNY		4 Q One per bench you think?
6	Stony Brook, did you also take course work during the		5 A Yes, pretty much.
7	summers?		6 Q How do you believe that you were exposed to
8	A Yes.		7 asbestos from the Bunsen burner pads there?
9	Q And how do you believe that you were		8 A As the Bunsen burner experienced heat, the
10	exposed to asbestos when you were taking the graduate		9 material degenerated, cracked and emitted dust.
11	school studies at Stony Brook?		10 Q Did these pads that we are talking about
12	A In my research for my degree.		11 appear similar in their appearance to those that you
13	Q And how do you believe in conducting this		12 had encountered previous to that?
14	research you were exposed to asbestos?		13 A Yes, they did.
15	A Through Bunsen burner pads and heat		14 Q Was there anything different about their
16	insulating mittens.		15 size, their shape, their consistency of the material
17	Q With what frequency would you be --		16 or anything else from those that you had encountered
18	MR. SCHAFFER: Withdrawn.		17 previously?
19	Q Did you handle both of these types of		18 A To my knowledge, no.
20	items --		19 Q Did the circumference of the material
21	A Yes.		20 inside the mesh look the same to you?
22	Q -- while you were at SUNY Stony Brook?		21 A Yes.
23	A Yes, I did.		22 Q Did you have to at any time replace those
24	Q With what frequency would you be handling		23 pads that you encountered at the lab in the anatomy
25	Bunsen burner pads?		24 department at Stony Brook?
			25 A Yes, I did.
		Page 67	Page 69
1	Christian Holinka	123	Christian Holinka
2	A Regularly.		125
3	Q Any way to quantify what "regularly" would		2 Q And where would you go to get replacement
4	be?		3 pads on those occasions?
5	MR. DARCHE: Don't guess.		4 A The supply room in biology.
6	A Daily, daily. The days I was at the		5 Q And where would that be in relation to the
7	laboratory obviously.		6 anatomy department that you were in?
8	Q Where was the laboratory that you used		7 A That was in a different building.
9	these pads at SUNY Stony Brook?		8 Q How often do you recall getting replacement
10	A In the anatomy department.		9 pads over that period of time that you were working
11	Q Did you work out of one lab in the anatomy		10 out of that lab? I'm sorry, doing research out of
12	department?		11 that lab.
13	A Yes.		12 A About no more than once a month.
14	Q Do you know if that lab had any other type		13 Q Did the pads when you picked them up from
15	of designation by room number or name or something		14 the supply area come packaged in any way?
16	like that?		15 A No.
17	A By room number, I don't recall the name.		16 Q How were they stored there?
18	Q Was it the first floor, second floor or		17 A I do not know how the supplier supplied
19	something like that?		18 them. I would --
20	A First floor.		19 Q Let me see if I understand the process.
21	Q Describe for me what that lab looked like		20 You would walk into the supply room and would there be
22	first in terms of its dimensions.		21 somebody there supporting the supply room?
23	A Medium size, square feet I cannot estimate.		22 A Yes.
24	Q Did it have work stations or tables?		23 Q And would you ask the person in there I
25	A About three large benches.		24 need X-Y-Z and that person would go get it?
			25 A Exactly, yes.

Christian Holinka v. Asbestos - ROUGH DRAFT  
February 22, 2007Christian Holinka  
ROUGH DRAFT

Christian Holinka 126

1 Q And you would not have an opportunity to  
2 see how they were stored there, right?  
3 A No.  
4 Q Did you have any responsibility for  
5 ordering any Bunsen burner pads when you were doing  
6 your research at this lab?  
7 A No, I did not.  
8 Q Do you know the brand, trade or  
9 manufacturer's name specifically of those pads that  
10 were supplied to you and used there?  
11 A They were supplied by standard suppliers.  
12 Q I guess my question, sir, is if you did not  
13 do the ordering of the supplies, do you know  
14 specifically who supplied the --  
15 A Specifically I --  
16 MR. DARCHE: I am going to object to the  
17 form as being argumentative.  
18 Q And I do not mean to be argumentative, sir.  
19 I am just trying to establish that you did not order  
20 the pads, right?  
21 A That is correct.  
22 Q And was there anything about the pads  
23 identifying who supplied them on the pad itself?  
24 A No, there wasn't.

Page 70

Christian Holinka 128

1 Q Did those mittens appear similar to those  
2 that you had encountered previously in your career?  
3 A Yes.  
4 Q They were one thumb and then one unit  
5 covering all of the fingers?  
6 A That's correct.  
7 Q And did they go approximately the same way  
8 up your hand?  
9 A That's correct.  
10 Q And in terms of their consistency and  
11 color, everything was similar to that which you had  
12 seen before?  
13 A Yes.  
14 Q Let me ask you with respect to the pads at  
15 this anatomy department, why do you think that they  
16 contained asbestos?  
17 A It was general knowledge that the centers  
18 contained asbestos.  
19 Q And how did you first become aware of this  
20 general knowledge that the center was asbestos?  
21 A I could not tell you the time.  
22 Q Can you tell me how you came to this  
23 general knowledge?  
24 A Through colleagues, co-workers.

Page 72

Christian Holinka 127

1 Q No logos or writing --  
2 A No.  
3 Q -- or anything imprinted or embossed on the  
4 material?  
5 A No.  
6 Q How often would you encounter the --  
7 MR. SCHAFFER: Withdrawn.  
8 Q How often would you use the mittens when  
9 you were doing your research at this lab?  
10 A About once every two days.  
11 Q Did you ever have to replace the mittens  
12 that you were using at the lab?  
13 A Yes.  
14 Q And would you when you needed to get  
15 replacement mittens go to the same supply person in  
16 the supply room?  
17 A Yes.  
18 Q Do you know specifically the brand, trade  
19 or manufacturer's name of the mittens that you used  
20 there?  
21 A No.  
22 Q Do you know who supplied specifically those  
23 mittens that you used there?  
24 A No.

Page 71

Christian Holinka 129

1 Q Did they specifically, whoever it was,  
2 advise you that the material did contain asbestos?  
3 A No.  
4 Q Do you know what, if any, other materials  
5 might provide the same sort of abilities as asbestos  
6 that may have been used on these pads?  
7 MR. DARCHE: Objection.  
8 Q But did you understand my question, sir?  
9 A Yes.  
10 Q You can answer the question then.  
11 A Can I?  
12 Q Yes.  
13 A No, I don't know.  
14 Q And why do you believe that the mittens  
15 that you used at the anatomy department contained  
16 asbestos?  
17 A I believe it was specified in the catalog,  
18 "asbestos mittens."  
19 Q You did not have the responsibility for  
20 ordering the mittens, right?  
21 A No, I did not.  
22 MR. DARCHE: Objection, asked and answered.  
23 If I object wait for me to object before  
24 you answer.  
25

Page 73

Christian Holinka v. Asbestos - ROUGH DRAFT  
February 22, 2007

Christian Holinka  
ROUGH DRAFT

Page 74		Page 76	
1	Christian Holinka 130	1	Christian Holinka 132
2	Q When was the first time that you came to	2	specific ways that you believe you were exposed to
3	believe that the mittens that you were using contained	3	asbestos when you were doing your research work at the
4	asbestos?	4	SUNY Stony Brook anatomy department lab?
5	A I do not recall the exact time.	5	A I do not know.
6	Q Can you give me, looking back up to where	6	Q Was the physical layout of the benches and
7	we are right now, whether it was before you were	7	equipment that may have been in the lab constant from
8	taking your course work at SUNY Stony Brook or after	8	when you first started doing your research there until
9	that?	9	when you left?
10	MR. DARCHE: I am just going to object.	10	A Yes.
11	Don't guess.	11	Q Can you estimate how many hours per week
12	The witness has already testified as to	12	you would put in part-time at the Columbia University
13	what he recalls.	13	clinical chemistry department during the time you were
14	MR. SCHAFER: Well, I am asking him the	14	there?
15	basis for his recollection that they actually	15	A Approximately 12 hours.
16	were asbestos.	16	Q And this was located where on Columbia
17	MR. DARCHE: So ask him that.	17	Presbyterian's grounds?
18	Q Why do you believe the mittens --	18	A The main building on 168th Street.
19	MR. DARCHE: You already asked him that.	19	Q What floor was the area where you worked?
20	MR. SCHAFER: Right.	20	A I don't remember.
21	Q And my question is when was the first time	21	Q Was it in a laboratory as well?
22	that you came to the belief that mittens that you used	22	A Yes.
23	contained asbestos.	23	Q And did you work in this one laboratory the
24	MR. DARCHE: I am just going to object to	24	entire --
25	the form.	25	A Yes.
Page 75		Page 77	
1	Christian Holinka 131	1	Christian Holinka 133
2	You can answer, if you can.	2	Q -- time that you were working there?
3	A I do not recall the exact time.	3	A Yes.
4	Q And this is one of those times, sir, that I	4	Q And how do you believe you were exposed to
5	am entitled to probe a little further and try and get	5	asbestos there?
6	a best estimate as to when you came to this knowledge.	6	A I used Bunsen burners and heat insulating
7	MR. DARCHE: But don't guess.	7	mittens.
8	Q Right, nobody is asking you to guess.	8	Q While you were doing this part-time work at
9	A I would have to guess.	9	Columbia, did you have responsibility for ordering
10	Q That is fair. Nobody wants you to.	10	either of those materials that you used?
11	When you would receive the mittens from the	11	A No, I did not.
12	supply person, did they come packaged in any way?	12	Q Did you use any other materials in the
13	A No, not to my knowledge.	13	course of your part-time work there that you believe
14	Q And would you have any understanding as to	14	caused you to be exposed to asbestos?
15	how long a pair of mittens would last when you were	15	A I do not know.
16	doing your research at SUNY Stony Brook?	16	Q Do you believe that you were exposed to
17	A Relatively long because I was the only	17	asbestos from the Bunsen burner pads in a fashion
18	person at the laboratory, that's the only person using	18	similar to that as you told us at the other places you
19	them. Relatively long, I would guess four months.	19	talked about?
20	Q And when the mittens got to a point where	20	A That's correct.
21	you felt that they had to be replaced, what would you	21	Q Anything different about the way you think
22	do with them?	22	you were exposed?
23	A I would dispose of them and get a new one,	23	A No.
24	set from the supply room.	24	Q Was there anything different physically
25	Q As you sit here today are there any other	25	about how the Bunsen burner pads looked as opposed to

Christian Holinka v. Asbestos - ROUGH DRAFT  
February 22, 2007Christian Holinka  
ROUGH DRAFT

Christian Holinka 134		Page 78	Christian Holinka 136	Page 80
1	what you encountered before?		1	A I do not.
2	A No.		2	Q Can you tell me any other specific ways
3	Q While you were doing the part-time work at		3	4 that you believe you may have been exposed to asbestos
4	Columbia University, did you have to on occasion		5 while working part-time at Columbia University?	
5	replace the pads?		6 A No, I cannot tell you.	
6	A Yes.		7 Q In 1974 you got your PhD; is that right?	
7	Q How many times did you do that?		8 A Yes.	
8	A I want to modify this. They were replaced,		9 MR. SCHAFER: Off the record for a second.	
9	10 I did not replace them myself.		10 (Discussion held off the record)	
10	Q How would the replacement process work		11 Q In July of 1974 you get your degree from	
11	12 there then?		12 SUNY Stony Brook, your PhD and what happens next in	
12	A I do not know.		13 the course of your professional career?	
13	Q Would it be a situation where you would		14 A I became a post-doctoral fellow at the	
14	15 show up one day and it would appear to be a new pad		15 University of Southern California.	
15	16 present?		16 Q And was this at Berkeley again or --	
16	A Yes.		17 A Los Angeles.	
17	Q Do you know where the new pads would come		18 Q And how long were you a post-doctoral	
18	19 from?		19 fellow?	
19	A I don't.		20 A Until 1977.	
20	Q Did you have to replace any of the heat		21 Q And what types of things did you do as a	
21	mittens that was used there at any time?		22 post-doctoral fellow there?	
22	A No.		23 A Biological research and teaching.	
23	Q The heat mittens that you used there, how		24 Q What portion or percentage of your time was	
24	25 often would you use them?		25 dedicated to research as opposed to teaching?	
Christian Holinka 135		Page 79	Christian Holinka 137	Page 81
1	No more than once every two weeks.		1	A About 90 percent research, 90 to 95
2	A You told us that you averaged about 12		2	percent.
3	Q hours a week there during this part-time work?		3	4 Q When you were doing your research, did you
4	A Yes.		5 conduct it in one particular area of USC Los Angeles?	
5	Q Would that be broken over one day or		6 A Yes. At the Gerontology Building.	
6	several days or how did that typically fall?		7 Q And where within the Gerontology Building	
7	A Two days.		8 did you do this research?	
8	Q Two six-hour days on average?		9 A Second floor.	
9	A Yes.		10 Q What were the dimensions or the layout of	
10	Q Perhaps --		11 the space you worked out of?	
11	A That makes it 18 hours a week, I worked		12 A Four rooms, variable size ranging from an	
12	from midnight to nine in the morning.		13 estimated 400 square feet to 800 square feet,	
13	Q So, you worked there three times a week,		14 estimated.	
14	15 midnight to nine?		15 Q And were these rooms comprised of both	
15	A Twice a week.		16 offices and laboratories?	
16	Q The lab was open continuously?		17 A Offices were separate.	
17	A Yes, sure.		18 Q So, the four rooms, were they all labs?	
18	Q Do you know the brand, trade or		19 A Yes.	
19	20 manufacturer's name of the mittens that you used at		20 Q Did you work in all of those rooms?	
20	21 Columbia Presbyterian?		21 A Yes.	
21	A No, I do not.		22 Q Did you have graduate assistants working	
22	Q Do you know the brand, trade or		23 with you during this time period?	
23	24 manufacturer's name of the Bunsen burner pads that		24 A Yes, I did.	
24	were present at Columbia?		25 Q What were their names of some of these	

Christian Holinka v. Asbestos - ROUGH DRAFT  
February 22, 2007

Christian Holinka  
ROUGH DRAFT

<p>1 Christian Holinka 138'</p> <p>2 people?</p> <p>3 A Monty Heckland (phonetic), undergraduate</p> <p>4 assistant.</p> <p>5 Q Anybody else?</p> <p>6 A Not as undergraduate or graduate assistant.</p> <p>7 Q How about any other people who assisted you</p> <p>8 in any way?</p> <p>9 A You usually had to do the research</p> <p>10 yourself. James Nelson.</p> <p>11 Q And what was his position or how did he</p> <p>12 help you?</p> <p>13 A Graduate student.</p> <p>14 Q Anybody else?</p> <p>15 A No.</p> <p>16 Q During the time that you were working at</p> <p>17 USC Los Angeles in the Gerontology Building, do you</p> <p>18 believe you were exposed to asbestos?</p> <p>19 A Yes.</p> <p>20 Q In what ways do you believe you were</p> <p>21 exposed to asbestos there?</p> <p>22 A Through Bunsen burner pads and heat</p> <p>23 insulating mittens.</p> <p>24 Q Were there Bunsen burners present in each</p> <p>25 of the four rooms that you were conducting your</p>	<p>Page 82</p> <p>1 Christian Holinka 140</p> <p>2 Q Did the Bunsen burner pads that you used</p> <p>3 there appear similar in their shape and color when</p> <p>4 compared to the ones you had encountered earlier in</p> <p>5 your career?</p> <p>6 A Yes.</p> <p>7 Q Was there anything physically different</p> <p>8 about them that you can recall at this time as opposed</p> <p>9 to the others?</p> <p>10 A No.</p> <p>11 Q Do you know the brand, trade or</p> <p>12 manufacturer's name of those Bunsen burner pads?</p> <p>13 A No,</p> <p>14 Q Do you know who specifically supplied those</p> <p>15 pads that you used as a post-doctoral fellow at the</p> <p>16 Gerontology Building?</p> <p>17 A We had standard suppliers, I do not know</p> <p>18 which individual standard supplier supplied them.</p> <p>19 Q Did you need to get replacement pads on</p> <p>20 occasion during those three years you were doing</p> <p>21 research?</p> <p>22 A Yes.</p> <p>23 Q Where would you get them from?</p> <p>24 A From the laboratory supply cabinet.</p> <p>25 Q Which would have been located where?</p>
<p>1 Christian Holinka 139</p> <p>2 research in?</p> <p>3 A Yes.</p> <p>4 Q How many were in each room?</p> <p>5 A An estimated two to five.</p> <p>6 Q Did the room that you worked out of have</p> <p>7 any other numerical designation or name that you can</p> <p>8 recall?</p> <p>9 A Room numbers I do not recall.</p> <p>10 Q Not named in honor of somebody or</p> <p>11 so-and-so's lab or anything like that?</p> <p>12 A I believe one or two were.</p> <p>13 Q As you sit here today, do you know who they</p> <p>14 may have been referring to?</p> <p>15 A No.</p> <p>16 Q Were there similar labs on the same floor</p> <p>17 of that building?</p> <p>18 A Yes.</p> <p>19 Q Did you have a responsibility as a</p> <p>20 post-doctoral fellow for ordering any of the Bunsen</p> <p>21 burner pads that you used there?</p> <p>22 A No, I did not.</p> <p>23 Q Did you have a responsibility for ordering</p> <p>24 any of the heat mittens that you used there?</p> <p>25 A No.</p>	<p>Page 83</p> <p>1 Christian Holinka 141</p> <p>2 A At the laboratory in one of the four rooms.</p> <p>3 Q Did you personally obtain new pads on</p> <p>4 occasion during the three years that you were doing</p> <p>5 research?</p> <p>6 A Yes, I did.</p> <p>7 Q And you would go to the storage area and</p> <p>8 take them yourself?</p> <p>9 A Yes.</p> <p>10 Q When you would take them out, did they come</p> <p>11 in any sort of packaging?</p> <p>12 A No.</p> <p>13 Q They were loose?</p> <p>14 A Not to my recollection, no.</p> <p>15 Q Your recollection is they were loose?</p> <p>16 A Yes.</p> <p>17 Q Stacked on top of each other or lined up</p> <p>18 side by side?</p> <p>19 A I believe stacked on top of each other.</p> <p>20 Q Did you ever see any paperwork indicating</p> <p>21 who specifically supplied those pads that you used</p> <p>22 there?</p> <p>23 A I did not.</p> <p>24 Q Do you recall a replacement stock of these</p> <p>25 pads coming in and being placed in that storage area?</p>

Christian Holinka v. Asbestos - ROUGH DRAFT  
February 22, 2007Christian Holinka  
ROUGH DRAFT

Page 86		Page 88	
1	Christian Holinka 142	1	Christian Holinka 144
2	A Not specifically, no.	2	A Yes.
3	Q Did you ever encounter a situation there	3	Q When was the last time you were in touch
4	where you had run out of pads and had to arrange to	4	with Mr. Heckland?
5	have more pads brought over?	5	A About three months ago, four months ago.
6	A No.	6	Q Is Mr. Heckland aware of your current
7	Q Did you use one set of mittens during the	7	physical situation?
8	three years there or more than one set?	8	A Yes.
9	A Set, you mean --	9	Q Did you have any discussions with
10	Q Pair.	10	Mr. Heckland about the types of products that you used
11	A -- individual --	11	together while you were at USC Los Angeles?
12	Q Pair I guess is the best way to put it.	12	A No.
13	A Many more than one. May I add something?	13	Q Did you have any discussion with respect to
14	Q Yes, absolutely.	14	any products that may have contained asbestos?
15	A To an extended response to your question	15	A No.
16	about collaborators.	16	Q Where does he currently live?
17	Q Yes.	17	A In Baltimore.
18	A The chief technician helped the laboratory.	18	Q When was the last time you spoke to
19	Q Who was that?	19	Mr. Nelson?
20	A Heinz; H-E-I-N-Z, Osterburg;	20	A An estimated three years ago.
21	O-S-T-E-R-B-U-R-G.	21	Q Did you ever have any discussions with
22	Q Did Mr. Osterburg have the responsibility	22	Mr. Nelson about any asbestos-containing components
23	for ordering any replacement supplies?	23	that were in any of the labs where you were?
24	A Yes.	24	A No.
25	Q Did you ever have a conversation with	25	Q And Mr. Osterburg, is he still alive?
Page 87		Page 89	
1	Christian Holinka 143	1	Christian Holinka 145
2	Mr. Osterburg advising that the lab or labs needed	2	A Yes.
3	more pads or mittens?	3	Q Where is he currently?
4	A No.	4	A In Los Angeles.
5	Q If you needed a replacement pair of	5	Q When was the last time you spoke with him?
6	mittens, would you get them from the same supply area	6	MR. DARCHE: Three years ago.
7	located in one of those labs?	7	A About half a year ago.
8	A Yes.	8	MR. SCHAFER: We talked about Mr. Nelson
9	Q Do you recall how the replacement mittens	9	before.
10	were stored in this area?	10	MR. DARCHE: Sorry about that.
11	A No.	11	MR. SCHAFER: We are talking about
12	Q Was there anything different about the	12	Osterburg.
13	physical appearance of these mittens as opposed to	13	MR. DARCHE: Sorry about that.
14	mittens that you had encountered earlier in your	14	Q Is Mr. Osterburg aware of your physical
15	career?	15	condition?
16	A No.	16	A Yes, I told him.
17	Q Can you tell me any other specific type of	17	Q Did you and he have any discussions whether
18	materials that you believe contained asbestos that you	18	there were any materials or products in the labs that
19	handled there?	19	may have exposed you to asbestos?
20	A No, I cannot tell you.	20	A We did not talk about it.
21	MR. DARCHE: Just one second.	21	Q Is there anyone that you have talked about
22	(Discussion held off the record)	22	with respect to your time at USC LA?
23	Q Did Mr. Heckland and Mr. Nelson and	23	A USC, please.
24	Mr. Osterburg also use these types of materials in the	24	Q I'm sorry, forgive me.
25	course of supporting you in your research?	25	A Two different universities.

Christian Holinka v. Asbestos - ROUGH DRAFT  
February 22, 2007

Christian Holinka  
ROUGH DRAFT

<p style="text-align: right;">Page 90</p> <p>1 Christian Holinka 146 2 Q My apologies. 3 Have you ever discussed the brand, trade or 4 manufacturer's names of any of the materials that you 5 believe contained asbestos that you encountered at USC 6 besides with representatives from your law firm? 7 A No. 8 MR. DARCHE: Off the record. 9 (Discussion held off the record) 10 Q Sir, I forgot to ask you, where does 11 Mr. Nelson currently live? 12 A San Antonio, Texas. 13 Q Separate and apart from your research that 14 you did at USC, do you believe that you were exposed 15 to asbestos when you were doing the teaching aspect of 16 your post-doctoral fellow work out there? 17 A I do not know but I do not think so. 18 Q And did that work result in any additional 19 degrees of any type as a post-doctoral fellow? 20 A No. 21 Q When in 1977 did you leave USC LA? 22 A In July. 23 MR. DARCHE: How are you feeling? 24 THE WITNESS: Okay. 25 MR. SCHAFFER: Let's go off the record a</p>	<p style="text-align: right;">Page 92</p> <p>1 Christian Holinka 148 2 A Regarding the diameter of the asbestos 3 inset to the Bunsen burner covers, the diameter 4 probably was closer to 8 inches. I said 3 or 4, I 5 believe, I thought in the metric system and it was 6 closer to 8 inches. 7 Q And let me then ask you this: If the 8 diameter of the pad was 8 inches, what was the length 9 across of the meshing itself when you counted all the 10 meshing? 11 A An estimated 1 more inch on each side, so 12 it would be about 10 inches. 13 Q And were those mesh pieces typically square 14 or rectangular? 15 A Typically square. 16 Q After the lunch break looking back, is 17 there anything else that you need to amplify or 18 correct from this morning's testimony? 19 A No, there isn't. 20 Q Why did you leave the fellow position at 21 USC? 22 A I had a job offer at Mount Sinai School of 23 Medicine in New York City. 24 Q How did you come to get that offer? 25 A At a scientific meeting.</p>
<p style="text-align: right;">Page 91</p> <p>1 Christian Holinka 147 2 second. 3 (Discussion held off the record) 4 (Whereupon, at 12:20 P.M., a lunch recess 5 was taken) 6 (Back on the record at 1:25 P.M.) 7 Q Sir, we are back on the record and I just 8 want to go back over one or two things before we move 9 forward to your time at Mount Sinai if I may. 10 A Yes. 11 Q And I am not sure if I have asked you this 12 question before or if my colleague did or did not, so 13 if I did I apologize. 14 With respect to the mittens that you used 15 when you were at the lab at USC Los Angeles, do you 16 know who specifically manufactured them? 17 A No, I do not. 18 Q Do you know who specifically supplied those 19 mittens that you used at that location? 20 A No, I do not. 21 Q Let's move forward, your next job was 22 where? 23 A May I make a small addition to a previous 24 statement? 25 Q Yes.</p>	<p style="text-align: right;">Page 93</p> <p>1 Christian Holinka 149 2 Q And when did you start at Mount Sinai? 3 A August 1977. 4 Q And how long did you work there? 5 A Until July 1989. 6 Q And what was your position there? 7 A Initially an instructor and then assistant 8 professor in obstetrics, gynecology and reproductive 9 science. 10 Q How long would you have been an instructor 11 first there at Mount Sinai approximately? 12 A Approximately two to three years. 13 Q And the balance of the time that you were 14 there approximately nine or ten years was as an 15 assistant professor? 16 A Yes. 17 Q As an instructor there what were your hours 18 typically, if there was such a thing? 19 A Forty to sixty hours. 20 Q And would you teach classes both day and 21 night as needed? 22 A I did not regularly teach classes at Sinai 23 except one or two years a part of a course in 24 reproductive biology to medical students. 25 Q I'm sorry, I misinterpreted what you meant</p>

Christian Holinka v. Asbestos - ROUGH DRAFT  
February 22, 2007Christian Holinka  
ROUGH DRAFT

Christian Holinka 150		Page 94	Christian Holinka 152	Page 95
1	by instructor then. Can you tell me what your duties		2	A Yes.
2	were as an instructor?		3	Q Over the two or three years, can you
4	A Research, the principle duties were		4	estimate how many times you would have replaced the
5	research.		5	pads?
6	Q When did you conduct the research as an		6	A About once every two months.
7	instructor there?		7	Q You said that there were two rooms, did
8	A During the period 1977 to '89.		8	both of these rooms have Bunsen burners?
9	Q When you were an instructor, yes.		9	A Yes.
10	A When I was an instructor and thereafter		10	Q Can you tell me how many were in each room?
11	when I was an assistant professor.		11	A Correction, three rooms.
12	Q Where physically within the premises of		12	Q Fair enough.
13	Mount Sinai did you do the research work as an		13	A When we did histology work I used a
14	instructor?		14	different room.
15	A The Annenberg Building, 20th floor.		15	The answer to your question, between two
16	Q And was there a separate portion of the		16	and five.
17	floor such as a lab or other area within the 20th		17	Q Were there more Bunsen burners in the
18	floor that you worked at?		18	histology room or not, if you know?
19	A Yes. There were several laboratories on		19	A About the same.
20	the floor.		20	Q Now, was there anything different about the
21	Q Did you work in one of them or all of them?		21	physical appearance of these Bunsen burner pads that
22	A Principally in two different rooms.		22	you used there as opposed to those that you had
23	Q And did these rooms have any numerical or		23	encountered prior in your career?
24	other designation?		24	A No.
25	A Yes.		25	Q Did these pads have any words or logos or
Christian Holinka 151		Page 95	Christian Holinka 153	Page 97
1	Q What were they called, if you remember?		1	printing or anything on them that would identify their
2	A I don't remember.		2	manufacturer?
3	Q And did you work in both of these rooms		3	A They did not.
4	5 during the time that you held the position of		4	Q Or their supplier.
6	instructor?		5	A They did not.
7	A Yes.		6	Q As an instructor did you have the
8	Q Do you believe that you were exposed to		7	responsibility for ordering any pads that were used at
9	asbestos at Mount Sinai in the course of your work as		8	Mount Sinai?
10	an instructor those first two or three years?		9	A No.
11	A Yes.		10	Q If you needed to pick up a replacement pad
12	Q And how during that time period do you		11	at Mount Sinai, where would you go?
13	believe you were exposed to asbestos?		12	A There was a central room for supplies for
14	A By asbestos pads, Bunsen burner pads and		13	the laboratory.
15	mittens.		14	Q Was that also located on the 20th floor?
16	Q Did you work yourself with the pads as an		15	A Yes. It was really a large set of cabinets
17	instructor?		16	in one of the laboratories.
18	A Yes.		17	Q Was it located in one of the three rooms
19	Q And what would you do with them?		18	that you were in as an instructor?
20	A Well, you use them all the time for heating		19	A In one, yes.
21	the agents, heating water, heating media. It was the		20	Q If I asked you which one could you tell me?
22	only heat source at the laboratory.		21	A I believe a storage unit.
23	Q Did you have on occasion the need to		22	Q Do you know which particular room it was in
24	replace the pads that you were using when you were an		23	or you believe it was in one of them?
25	instructor?		24	A I think it was in one.

Christian Holinka v. Asbestos - ROUGH DRAFT  
February 22, 2007

Christian Holinka  
ROUGH DRAFT

<p style="text-align: right;">Page 98</p> <p>1 Christian Holinka 154</p> <p>2 Q When you would go to this storage area, did</p> <p>3 you see how the pads were kept in it?</p> <p>4 A I saw it but I don't remember whether they</p> <p>5 were stacked or next to each other.</p> <p>6 Q And do you recall if there was any</p> <p>7 packaging associated with any of these new pads that</p> <p>8 you would take?</p> <p>9 A I don't remember.</p> <p>10 Q Do you know the brand, trade or</p> <p>11 manufacturer's name of any of those pads?</p> <p>12 A I do not know a specific brand.</p> <p>13 Q Do you know who supplied those pads to</p> <p>14 Mount Sinai during those years that you were an</p> <p>15 instructor?</p> <p>16 A Well, we had basically four suppliers,</p> <p>17 Fisher Scientific, Van Waters and Rogers, American</p> <p>18 Scientific, Senco. They were big catalogs, they</p> <p>19 looked like a book with in the back their names. And</p> <p>20 there were other companies also that I don't recall</p> <p>21 who supplied highly specific parts, supplies but those</p> <p>22 were the main companies and we may even have had a</p> <p>23 standing account with one, two or three of them.</p> <p>24 Q When you say "we," are you talking about</p> <p>25 Mount Sinai itself or your particular department where</p>	<p style="text-align: right;">Page 100</p> <p>1 Christian Holinka 156</p> <p>2 A Once a day, whenever there was something</p> <p>3 hot to touch, once a day, once every two days, twice a</p> <p>4 day.</p> <p>5 Q Did the physical appearance of these</p> <p>6 mittens to you seem the same as those as you had</p> <p>7 encountered earlier in your career?</p> <p>8 A Yes.</p> <p>9 Q Was there anything different about what</p> <p>10 those mittens looked like as compared to the earlier</p> <p>11 ones?</p> <p>12 A Not to my recollection, no.</p> <p>13 Q Besides those mittens did you use any other</p> <p>14 types of gloves or mittens during your time as an</p> <p>15 instructor?</p> <p>16 A No.</p> <p>17 Q Do you know the brand, trade or</p> <p>18 manufacturer's name of any of those mittens that you</p> <p>19 used while you were an instructor?</p> <p>20 A No.</p> <p>21 Q Do you know specifically who supplied any</p> <p>22 of those mittens that you used as an instructor?</p> <p>23 A Specific suppliers I don't know.</p> <p>24 Q And you have mentioned four companies that</p> <p>25 you believe generally provided supplies --</p>
<p style="text-align: right;">Page 99</p> <p>1 Christian Holinka 155</p> <p>2 you worked?</p> <p>3 A In my department, my laboratory.</p> <p>4 Q If there was such a standing type of</p> <p>5 relationship within your department, who within your</p> <p>6 department would have been the contact to deal with</p> <p>7 with respect to that?</p> <p>8 A The main person, Dr. Gurpide.</p> <p>9 Q Doctor who?</p> <p>10 A Erlio; E-R-L-I-O, G-U-R-P-I-D-E.</p> <p>11 Q And is Dr. Gurpide still alive?</p> <p>12 A Yes.</p> <p>13 Q Is he still at Mount Sinai?</p> <p>14 A No.</p> <p>15 Q Do you know where he lives?</p> <p>16 A I don't. He's in a retirement home</p> <p>17 somewhere in the midwest.</p> <p>18 Q When would have been the last time you had</p> <p>19 occasion to have any contact with him?</p> <p>20 A About ten years ago, eight years ago</p> <p>21 probably.</p> <p>22 Q How often would you use the mittens as an</p> <p>23 instructor at Mount Sinai?</p> <p>24 A Regularly.</p> <p>25 Q Can you define that?</p>	<p style="text-align: right;">Page 101</p> <p>1 Christian Holinka 157</p> <p>2 A Yes.</p> <p>3 Q -- when you were in that position.</p> <p>4 A Yes.</p> <p>5 Q Can you tell me any other ways that you</p> <p>6 specifically believe that you were exposed to asbestos</p> <p>7 while you were working as an instructor in these three</p> <p>8 rooms in the Annenberg Building?</p> <p>9 A No, I cannot.</p> <p>10 Q Did you have a supervisor or some sort of a</p> <p>11 boss that you had to report to for those two or three</p> <p>12 years?</p> <p>13 A Dr. Gurpide.</p> <p>14 Q Did you typically work alone or with other</p> <p>15 people?</p> <p>16 A I had a technician for most of the period.</p> <p>17 Q And what was the technician's name?</p> <p>18 A Mila de la Pena; MILA, D-E, L-A, and</p> <p>19 capital P-E-N-A.</p> <p>20 Q And is that assistant still alive?</p> <p>21 A Yes.</p> <p>22 Q And do you know -- is it he or she?</p> <p>23 A She.</p> <p>24 Q Do you know where she currently lives?</p> <p>25 A Somewhere on Long Island, I don't know the</p>

Christian Holinka v. Asbestos - ROUGH DRAFT  
February 22, 2007Christian Holinka  
ROUGH DRAFT

Christian Holinka 158		Page 102	Christian Holinka 160	Page 104
1	town.		1	Q She stayed with you the entire time?
2	Q Do you know if she is still affiliated with		2	A Almost the entire time for about nine
3	Sinai?		3	years, something like that.
4	A No, she's not.		4	Q And did Dr. Gurpide maintain the position
5	Q Do you know who she works for?		5	of your supervisor the entire time you were there?
6	A She works for their own company not related		6	A Yes, he did.
7	to clinical research or not related to laboratories.		7	Q And just so the record is clear, do you
8	Q She has her own business?		8	know the brand, trade or manufacturer's name of any of
9	A Yes.		9	the pads that you would have used during this time
10	Q You told us that after two or three years		10	period?
11	your position changed and you became an assistant		11	A No, I do not.
12	professor; is that right?		12	Q Do you know the brand, trade or
13	A Yes.		13	manufacturer's name of any of the gloves that you used
14	Q And that was the position you held the		14	during this time period?
15	balance of your time at Mount Sinai?		15	A No, I don't.
16	A Yes.		16	Q Do you specifically know which of the
17	Q During your career there as an assistant		17	companies supplied either of those products to your
18	professor; do you believe that you were exposed to		18	lab when you were working there in that position?
19	asbestos?		19	A Specifically I don't but we had standard
20	A Yes.		20	suppliers.
21	Q And in what ways do you believe you were		21	Q And you mentioned when you were --
22	exposed to asbestos during that nine to ten year		22	MR. SCHAFER: Withdrawn.
23	period?		23	Q When you were doing the assistant professor
24	A Via pads, Bunsen burner pads and heat		24	position, was that located within the same premises on
25			25	
Christian Holinka 159		Page 103	Christian Holinka 161	
1	insulating mittens.		1	the 20th floor of the Annenberg Building?
2	Q As an assistant professor did you typically		2	A It was.
3	hold classes in one location or in a variety of		3	Q Did you ever work anywhere else at Mount
4	locations on the campus?		4	Sinai during the entire time that you were there
5	A I gave guest lectures on the campus but not		5	outside of teaching courses in the halls?
6	full classes, not full courses.		6	A No, I did not.
7	Q As an assistant professor were your duties		7	Q And when you were teaching the courses in
8	different than those of an instructor that you had		8	the halls, do you have any reason to believe you were
9	told us about?		9	exposed to asbestos during that --
10	A No, they were not.		10	A No, I do not have any reason.
11	Q Basically a change in pay or a change in		11	Q So, it was physically in Mount Sinai where
12	grade; is that right?		12	you are alleging asbestos exposure on the 20th floor
13	A Yes, that's correct.		13	of the Annenberg Building.
14	Q Did your use of the pads increase, decrease		14	A Yes.
15	or stay approximately the same during the time period		15	Q When was the last time you were up there?
16	that you were an assistant professor?		16	A About two years ago.
17	A Stayed approximately the same.		17	Q Did you have an opportunity to view a
18	Q Did your use of the mittens decrease,		18	portion of the floor where you used to work?
19	increase or stay about the same?		19	A Yes, I did.
20	A Stayed about the same.		20	Q And in terms of its physical layout
21	Q Did you have any additional technicians		21	currently, is it the same, different or something
22	that assisted you over these nine years besides the		22	else?
23	woman you mentioned before?		23	A It has slightly changed.
24	A No.		24	Q Did you get a chance to see the layout of
25			25	